

08-24 526 Rec'd PCT/PTO 23 AUG 2000

FORM PTO-1190 AUG 23 2000 U.S. DEPARTMENT OF COMMERCE (REV. 11-98) PATENT AND TRADEMARK OFFICE		ATTORNEY CHECK NUMBER 20177YP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/622964</b> ✓
INTERNATIONAL APPLICATION NO. PCT/US99/03790 ✓	INTERNATIONAL FILING DATE 22 February 1999 ✓	PRIORITY DATE CLAIMED 25 February 1998 ✓
TITLE OF INVENTION BEST'S MACULAR DYSTROPHY GENE ✓		
APPLICANT(S) FOR DO/EO/US Konstantin Petrukhin, C. Thomas Caskey and Michael Matzker ✓		
<b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</b>		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)].</p> <p>    a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>    b. <input type="checkbox"/> has been transmitted by the International Bureau.</p> <p>    c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English [35 U.S.C. 371(c)(2)].</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].</p> <p>    a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>    b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>    c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>    d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</p> <p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>    <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input type="checkbox"/> Other items or information:</p>		
<div><div>EXPRESS MAIL CERTIFICATE</div><div>DATE OF DEPOSIT <u>August 23, 2000</u></div><div>EXPRESS MAIL NO. <u>EK077635654/15</u></div><div>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231</div><div>MAILED BY <u>G. B. Crowley</u></div><div>DATE <u>8/23/2000</u></div></div>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/622964		PCT/US99/03790		20177YP	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO.....					
				\$970.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....					
				\$840.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO.....					
				\$690.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....					
				\$670.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....					
				\$96.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(e)].				\$0.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	18 - 20 =	0	X \$18.00	\$0.00	
Independent Claims	8 - 3 =	5	X \$78.00	\$390.00	
Multiple dependent claim(s) (if applicable)		0	+ \$260.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$486.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).					
SUBTOTAL =				\$486.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(f)].				\$0.00	
TOTAL NATIONAL FEE =				\$486.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					
TOTAL FEES ENCLOSED =				\$486.00	
				Amount to be refunded	
				charged	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 13-2755 in the amount of \$486.00 to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970					
DATE: AUGUST 23, 2000					
PHONE #: (732) 594-6734					
				SIGNATURE	
				Joseph A. Coppola	
				NAME	
				38,413	
				REGISTRATION NUMBER	